Previous references.

S. R 6-87
83 1-2

Later references.

1892-3
~~191~~ .
(Sup. Rec.)

File No. 46-92

Serial Nos. 1 – 4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 4

Major ~~Part~~ B. for Year 92.

SUBJECT

Refund of Estate Cess to Papaanui & Co.

---

1. From the Excise Court No: 235-12 of 9-9-92.
Submits a refund bill in favour of the Papaanui, on account of Estate Cess, recommends an actual Rebate.

2. From — No: 3507-8 of 4-9-92.
Submitting the cess is payable to Papaanui on the gross quantity of sugar raised from the distilling & manufacture of Molasses.

G. R. S. 58

GPB—4,000—1-7-11

3. From — No: 1350-173 of 7-9-92.
Submits again the question

E&T Supplementary Case for Quantification
of Wastage.

4 To The Executive Engr. (P.H.) Sonsak 17-12-92.

Sub: Time extension allowed vide
decided in Proc: No. 3527-8 & 4-9-92 (872)

Manager
Construction

(General Serial No. 30.)

SECTION S-2

46-92

FILE No.

From The Excise Commissioner in Mysore (4)

GENERAL No. Letter 1

OFFICE OF THE DEWAN OF MYSORE
345
9 JUL 92
R 91

To

The Chief Secretary to the Dewan of Mysore.

Dated 8th July 1892

Despatched

Received

Enclosures No. 2

General No. 2235.

No. 12

~~*In reply to*~~

SUBJECT.

Submits a refund bill for Rs. 8-4-2 being the amount to be refunded to Messrs. Papamiah & Co., late arrack Contractors, on account of establishment Cess recovered from them on the actual wastage incurred in their Whole Sale Depôts.-

References (to be entered only in the Dewan's Office).

Rev. Br. Early. Note 9/7/92

The questions after the introduction of the Reduced Gram cup

(1) The Establishment Cess is payable on (a) quantity issued from Distillery or (b) the issues minus 2% allowance for wastage or (c) the issues minus actual wastage -

a

(2) The 2 anna per gallon Rate in lieu of License fee is leviable on (a) quantity issued from the Distillery (b) the issues minus 2% wastage or (c) the issues minus actual wastage -

c

Under the Perpetual contract

(1) Establishment Cess is payable on total issued from the Distillery (vide Condition III (b))

(2) The 2 anna per gallon rate is payable on quantity ~~issued~~ issued to places other than C & M Stations

The order of Dec 89 issued on the introduction of new Gram cup is in accordance with the contract - Mr Nicholls says that the wastage therefore on this acct is not 2% wastage but actual wastage which is less - Mr Campbell Rec'd 14/7/92 allowed 2% wastage & deducted the

Order

1 That a Cess be payable on the quantity of Liquor issued from the Distillery & on the Proof quantity issued respectively commencing after June —

2 That a similar Cess be payable on the quantity of Liquor issued from the Distillery minus 2 p allowance for breakage — The reason is that the Cess is in lieu of the old license fee, and as the retail vendors will vary the contents only the actual quantity published & there it only right that the fee p D Govt. by the Contractors & the retail quantity only & this for practical purposes may be taken as aforesaid

J.T.O.
2/9

Office of the Excise Commissioner,
in Mysore, 3

No. 235/12
(Encls: 2)

Dated, Bangalore, 8th/9 July 1892.

From,

The Excise Commissioner,
in Mysore.

To,

The Chief Secretary to the Dewan
of Mysore.

Sir,

I have the honor to report that Messrs C. Papanaiah & Co., late Arrack Contractors, claim a refund of Rs 3,023 on the ground that it is the amount improperly recovered from them as establishment cess at Rs 0-3-2 per gallon on the allowance of two per cent Wastage, contrary to the Excise Commissioner's orders in his letter No: 247, dated 31st May 1889, to their address, a copy of which is herewith sent for reference. In para 4 of this letter it is laid down that the establishment cess at Rs 0-3-2. and the gallon fee at 2 annas, altogether five annas and two pies, should be paid by the Contractors on every gallon of liquor sold by them from the Wholesale Depôts in outlying Districts viz

viz, the Depôts Situated beyond the limits of the City and Civil and Military Station of Baugalore; and in para 3, it is laid down that the Contractors shall pay one annā as establish: ment Cess on every gallon of liquor Sold in the two Depôts at the City and Station of Baugalore. In para 6 of the same letter it is ordered that the Contractors Should pay with their monthly Kists the above rates on the nett issues of liquor to the Depôts excluding wastage, and that any difference over or under paid, Should be adjusted at the close of each year. But these terms are opposed to the order of Government contained in the Chief Secretary's Docket No $\frac{5394}{296}$, dated 14th December 1887 to the Deputy Commissioner, Baugalore, in which it is laid down that the establishment cess Shall be payable on issues of liquor inclusive of wastage, while the gallon fee of two annas is not chargeable on the amount allowed for wastage. Consequently, the procedure prescribed in this Govern: ment order was observed in the Distillery, i,e, the establishment cess was levied on the 2% wastage, while the gallon fee was not levied on it.

2. I am, however, of opinion that the Government order in question, which was issued under the old system, is not applicable to the new System introduced on 1st June 1889, and that the terms laid down under the new system in Colonel Campbell's letter No: 247, dated 31st May 89, above preferred to, must be adhered to. For the two years and ten months when the new system was in force during the currency of the late Contract, viz, from 1st June 1889 to 31st March 92, the total quantity of actual wastage incurred is as follows: —

	G.	D.
(a) In the two Depôts at the City and Station of Baugalore.	2077	- 12
(b) In the outlying Depôts	10,821	- 25
(c) In the Mysore town Depôt Since the introduction of the Baugalore rates.	521	- 30
	13,420	- 16

as this quantity, viz 13,420-16 Q. lb., was not sold by the Contractors they are properly entitled to the refund of the establishment cess at the Several rates thereon, as per following particulars:—

	Rs.	as.	Ps.
At 1 anna on (a) & (c), viz 2077-12 Q. lb. + 521-30 Q. lb. = 2598-42	162	6	10. ✓
at Rs 0-3-2 on (b), viz 10,821-25 Q. lb.	2141	12	1 ✓
Total	2304	2	11

3. The Gallon fee of two annas was levied, as per Distillery accounts, on net issues of liquor, excluding 2% wastage which amounted to 15,419-10 Q. lb. for the aforesaid period of two years and ten months. In this Wastage, the Contractor saved 4597-36 Q. lb., on which they realized, as per particulars in the margin, Rs 475-14-9, which amount is due to Government by the Contractor. Deducting this Sum from the above amount of Rupees 2304-2-11, the difference payable to the Contractors is Rs 1828-4-2, for which a refund bill is herewith Submitted for sanction and transmission to the Comptroller, with a request that the amount may be credited to the arrears due by the Contractors.

	Q. lb.	
Quantity Sold to retail Vendors and on which the Contractors received gallon fee at 2 annas	3807-19.	
Quantity belonging to the Mysore town on which the Contractors did not get gallon fee in consequence of the introduction of the Bangalore rates.	790-17.	
	4597-36.	

I have the honor to be,

Sir,

Your most Obedient Servant.

Excise Commissioner.

Mm.

(6a)

From Exc

The Excise Commissioner
in Mysore

To

Messrs C. Pappamah and Co
Arrack Contractors
in mysore

Dated 31st May 1889

Dispatched 3rd June 1889.

No. 247

Has the honor to enclose for their information, copy of a memo relative to the introduction of the new scheme in connection with the reduction of the Drawn measures. This scheme so far as it affects the Civil and Military Station of Bangalore has received the approval of the Resident and the Government of India has sanctioned it as an experimental measure.

2. The following statement gives the present and proposed rates, from which it will be seen that the contractors will levy two distinct rates for the wholesale vend of this liquor, viz Rs 4·7·10 in the city and Station

Station of Bangalore and Rs 4·12·0 in the outlying Districts.

Particulars	Civil and Military Station and City of Bangalore						Rest of the Province					
	Present			Altered by the Resident and finally sanctioned			Present			Proposed and finally adopted by the Board		
Duty	3	5	"	3	5	"	3	5	"	3	5	"
Establishment Cess	"	"	6	"	1	"	"	"	6	"	3	2
License Fees	"	"	"	"	"	"	"	2	"	"	2	"
Total	3	5	6	3	6	"	3	7	6	3	10	2
Add Contrs cost & profits	1	"	10	1	1	10	1	"	10	1	1	10
Wholesale price	4	6	4	4	7	10	4	8	4	4	12	"
Retail vendors profit	"	9	8	"	13	2	"	7	8	"	9	"
Retail price	5	"	"	5	5	"	5	"	"	5	5	"

3. From the above it will also be seen, that in the Station and City of Bangalore, the License fees and Surcharges on Excess sales will be recovered from the Retail dealers by the Municipal Board. The wholesale rate provides for this being done. The Contractors will however have to pay one anna instead of 6 pie on every gallon sold from these two depôts as Establishment charges into the Bangalore District Treasury monthly.

4. The contractors will further have to pay into the Bangalore District Treasury monthly, three annas and two pies plus annas two, total annas five and pies two for Establishment Cess and License fees

fees on every gallon of liquor sold in the outlying Districts from their Depôts.

5. The difference remaining after meeting the foregoing charges on the new wholesale rates for the city and Station of Bangalore and Districts, will be retained by the Contractors as their share of Compensation for the rise in price of Jaggory &c.

6. As some delay will occur in the levy of the foregoing sums on the Sales from depôts, the Commissioner directs that the Contractors will pay monthly with their Kist the amount on the net issues to Depôts (excluding wastage). At the end of the year a finial settle= =ment will be effected by this office by adding to the quantity issued to Depôts, the stock at Depôts on the 1st June 1889, and after deducting the balance on hand on the 31st March 1890 at Depôts, strike the correct amount due by the Contractors on the Balance. Any difference over or under paid during the year will then be adjusted in the Treasury accounts

accounts on the 15th April yearly when the final Khist for March is paid.

7. The Head Superviser will furnish the Deputy Commissioner Baugalore with a statement of the Sales at the Station Depôt at Baugalore, and the amount payable at one anna per gallon as Establishment Cess, which sum shall be credited to the Resident's Treasury in due course.

(Signd) J. A. Campbell. Colonel
Excise Commissioner
in Mysore

"Copy"

S. Mackett.
Excise Commissioner
in Mysore

Government of Mysore

No 10 A

4/6

Q 12

Particulars	Amount			Remarks
To Refund to Messrs. C. Papamah & Co. late Arrack Contractors, of Establishment Cess levied on the actual Wastage incurred in Wholesale Depôts, for 2 years and 10 months, vide details in letter No. dated 8th July 1892.-	1828	4	2	To be credited to the arrears due by Messrs. C. Papamah & Co., late Arrack Contractors.

Excise Establishment
No. 235
Dated 12
8 July 1892

Excise Commissioner's Office
Bangalore 8th July 1892.-

Excise Commissioner
in Mysore

Mub.

(General Serial No. 30.)

1892.

15

From

The Chief Secretary
to the Dewan of Mysore.

SECTION S-R
FILE No. 40-92
SERIAL No. 2

To The Excise Commr in Mysore
" Comptr to the Govt of Mysore.

Dated 4th September 92

Despatched

Received

Enclosures No.

General No. 3507-8
No. R 746-92

Stating that the establishment fees is payable to Messrs C. Parthasarathy & Co. on the gross quantity of liquor issued from the distillery irrespective of wastage & that Rs 2 per gallon fees is payable on the quantity of liquor issued from the distillery minus 2 p.c allowance for wastage.

References to be marked.

Draft Proceedings (5)

Read :—

Letter from the Excise Commr in Mysore, No 235/12 of the 8th July 1892 submitting for sanction a refund bill for Rs 1828-4-2 being the amount to be refunded to Messrs C. Papanna & Co., Lake Barrack Contractors on account of Establishment Cess recovered from them on the actual wastage incurred in their Wholesale Depôts from 1st June 1889 to 31st March 1892

Order thereon :—

The Establishment Cess is payable on the quantity of liquor issued from the Distillery, that is, on the gross quantity issued irrespective of wastage occurring after issue.

2. The 2 annas per gallon cess is payable on the quantity of liquor issued from the Distillery

No: 3507-8 dl. / R. F. 45-92

Submitted.

Please see Clause (b) of condition III of the agreement with the Revenue Contractor in which the maximum quantity on which Establishment Cess is to be levied is fixed at 262000 Gallons per annum. Reading para 3 of the Bangalore Deputy Commr's letter No 1187 &/- 5th July 1892 with the

P. D.

12

minus 2 per cent allowance for wastage. The reason is that the cess is in lieu of the old license fee, and as the retail Vendors will recoup the Contractors with interest only the actual quantity supplied to them, it is only right that the fee paid to Govt by the Contractors should be with interest this quantity only and that for practical purposes will be taken as aforesaid.

Draft.

WW

Chief Secretary.

To The Excise Commissioner in Mysore.

Copy to the Comptroller & the Govt of Mysore

(General Serial No. 30.)

SECTION 5-12

SUBJECT. 46-92 From

189

2718.
8 - SEP. 92
R 720
DEWAN OF MYS

The Excise Commissioner in Bangalore.

Govt have already decided this question (of Campbell's order was wrong (& undue a clerical mistake crept in it) and what is more important did not come into operation - What is now claimed is based on the ground that Govt have paid what Govt have confirmed as here & which Govt have now decided & be refused & Coll's order!

To

The Chief Secretary to the Dewan of Mysore.

Dated 7 September 1892.

Despatched

Received 8/9/92

Enclosures No. —

General No. 13509

No. 73

In reply to Chief Secy's Lr. No. 3507-8 RF. 45-92, 7th instant SUBJECT.

Explains under what circumstances the amount as per Refund Bill submitted with this office Lr. No. 235/12 of 8 July 1892, is payable to Messrs Papanna & Co, late Arrack Contractors, on account of establishment cess received from them on actual wastage incurred in Wholesale Depots.

Order

Reply that the Orders contd in Govt Lr. No. 3507-8 RF. 45-92 decide the question and the whole principle & effects of the Govt Order therein contained so fully as to render it unnecessary for this office to reconsider the matter.

Rec'd 8/9 Draft sent 8/9 13/12

References (to be entered only in the Dewan's Office).

Rec'd Subd with references

The references were submitted on memo of today 9/9

8/9/92

No. 1350/73

Excise Commissioner's Office
Bangalore, dated 6th September
1892

B

From
The Excise Commissioner
in Mysore

To
The Chief Secretary to the Dewan
of Mysore

Sir,

In acknowledging the receipt of
Government Proceedings No. 3507-8/45-92, dated
4th September 1892, I have the honor to
state that I am inclined to believe
that the Government order therein
contained, is based upon the Chief
Secretary's letter No. 5394/296, dated 14th
December 1887, to the Deputy Commis-
sioner, Bangalore District. But as
already submitted in para 2 of my
letter No. 235/12, dated 8th July 1892, I
think that the above letter is not
applicable to the ~~new~~ system introduced
on 1st June 1889. Colonel Campbell
who was then the Head of the Excise
Department, on receipt of Government
sanction to the new system, issued
orders in his letter No. 247, dated 31st
May 1889, to Messrs. C. Papanah &
Co. late Arrack Contractors, specifying
certain

certain revised conditions for the contract under the new system. One of such conditions was that both the establishment cess and gallon fee should be paid by the Contractors on the quantity of liquor sold by them in their Wholesale Depots. Accordingly, the amount of establishment Cess recovered from them on the actual wastage of liquor incurred in the Depots, Viz Rs. 2304-2-11, is properly refundable to them, minus the gallon fee of Rs. 475-14-9 which they collected on 3807-19 of liquor, being the quantity saved in the 2% allowance for wastage, and which they sold to retail Vendors, without making a corresponding payment to Government. Under such circumstances, I beg to solicit that the Refund Bill submitted with this Office letter No. 235/12, dated 8th July 1892, may be sanctioned.

I have the honor to be
Sir
Your most obedient servant

S Ruthnaswamy
Excise Commissioner
in Mysore

ad

15

(General Serial No. 30.)

1892.

7.

From

The Chief Secretary to the Dewan of Mysore.

SECTION 5-2

FILE No. 46-92

SERIAL No. 4

To The Excise Commr. in Mysore.

Dated 15th December 92

Despatched

Received

Enclosures No.

General No. 8505

No. R-745-92

Stating that Govt order No. 3507-8 94 the Sept 92 decides the question of payment of establishment fees and 2 anna per gallon cess to Messrs C. Papanna & Co, and should be given effect to.

(57)

Read :-

Excise Commissioner's letter No. 1350/73 dated 7th September 1892, re-submitting the question of Establishment cess and 2 anna gallon cess on wastage.

"

No. 8505 dt. 15-12-92
R.J. 45-92 17

order thereon.

The order contained in the Government Proceedings No. 3507—8 R.J. 45-92 dt. 4th September 1892, decides the question now resubmitted for consideration and should be given effect to as the Excise Commr's letter above

above read contains
no sufficient reason
for its reconsideration.

15/12

Chief Secretary

To The Excise Commr
in Mysore.

~~Comptroller~~